

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CHARLES ARTHUR PLUNKETT,

Petitioner,

v.

WARDEN,

Respondent.

NO. ED CV 10-0813 DOC (FMO)

**ORDER ADOPTING FINDINGS,
CONCLUSIONS AND RECOMMENDATIONS
OF UNITED STATES MAGISTRATE JUDGE**

Pursuant to 28 U.S.C. § 636, the Court has conducted a de novo review of the Petition, all of the records herein, and the Report and Recommendation of the United States Magistrate Judge. No objections to the Report and Recommendation have been filed. The Court approves and adopts the Magistrate Judge's Report and Recommendation. Accordingly, IT IS ORDERED THAT:

1. Judgment shall be entered dismissing the action without prejudice.
2. The Clerk shall serve copies of this Order and the Judgment herein on the parties.

DATED: September 14, 2010.

David O. Carter

DAVID O. CARTER
UNITED STATES DISTRICT JUDGE